# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION

Thomas Funderburk and Sharon	) C.A. No. 3:15-cv-04660-JMC
Funderburk,	)
Plaintiffs,	) STIPULATION OF DISMISSAL ) WITH PREJUDICE
v.	)
South Carolina Electric & Gas	)
Company, the County of Lexington,	
SC, and CSX Transportation, Inc.,	)
Defendants.	) )
	)

Plaintiff's Thomas and Sharon Funderburk and Defendants South Carolina Electric & Gas Company, CSX Transportation, and the County of Lexington, SC, by and through their undersigned counsel, stipulate and consent to the dismissal with prejudice of all claims against Defendant South Carolina Electric & Gas Company in the above-entitled action pursuant to Rule 41 of the Federal Rules of Civil Procedure. Each party shall pay their own costs and attorney's fees.

(Signature Block on Next Page)

#### WE SO STIPULATE:

### s/ William H. Edwards

William H. Edwards, Esquire MOORE TAYLOR LAW FIRM P.O. Box 5709 West Columbia, SC 29169 ATTORNEY FOR PLAINTIFF

## s/ Evan M. Gessner

Patrick J. Frawley, Esquire Evan M. Gessner, Esquire DAVIS FRAWLEY, LLC P.O. Box 489 Lexington, SC 29071 ATTORNEYS FOR DEFENDANT LEXINGTON COUNTY

### s/ Michael N. Loebl

Michael N. Loebl, Esquire Elizabeth A. McLeod, Esquire FULCHER HAGLER, LLP P.O. Box 1477 Augusta, GA 30903 ATTORNEYS FOR DEFENDANT CSX TRANSPORTATION

## s/ Tracey C. Green

Mitchell M. Willoughby, Esquire Tracey C. Green, Esquire WILLOUGHBY & HOEFER, P.A. P.O. Box 8416 Columbia, SC 29202 ATTORNEYS FOR DEFENDANT SCE&G

## s/ Caleb M. Riser

Steven J. Pugh, Esquire Caleb M. Riser, Esquire RICHARDSON PLOWDEN & ROBINSON, P.A. P.O. Drawer 7788 Columbia, SC 29202 ATTORNEYS FOR DEFENDANT SCE&G

Columbia, South Carolina May 30, 2019